

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	8:10CR334
	)	
v.	)	
	)	
JOSE ESTEBAN HERNANDEZ-	)	ORDER
VILLALBA,	)	
	)	
Defendant.	)	
_____	)	

This matter is before the Court on defendant Jose Esteban Hernandez-Villalba's motion in limine (Filing No. [92](#)). At a pre-trial hearing, the Court heard argument from the parties regarding the motion. The parties agreed no controversy exists regarding paragraph one of the motion. Thus, this part of the motion will be denied as moot.

Regarding paragraph two of the motion, defendant argues this evidence is inadmissible for lack of relevance, Fed. R. Evid. 401 and 402, or its probative value is outweighed by the potential for unfair prejudice, Fed. R. Evid. 403. The Court finds the evidence discussed in paragraph two is relevant and its probative value outweighs the danger of unfair prejudice. Accordingly,

IT IS ORDERED that defendant's motion in limine (Filing No. [92](#)) is denied as moot as to paragraph one of the motion and is denied as to paragraph two of the motion.

DATED this 19th day of January, 2011.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court